

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARIE-LOUISE PAUSON,

Plaintiff,

v.

BAYVIEW LOAN SERVICING, LLC,

Defendant.

CASE NO. C15-5612-RBL

ORDER GRANTING LEAVE TO
APPEAL IFP

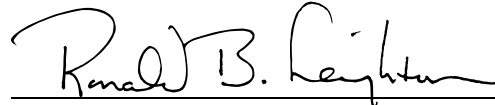
THIS MATTER is before the Court on Plaintiff Pauson's Motion for leave to appeal in forma pauperis [Dkt. #41]. The Court dismissed her complaint with prejudice and without leave to amend on the defendants' motion. [Dkt. #35].

An appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith. 28 U.S.C. §1915(a)(3); *see also Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (revocation of forma pauperis status is appropriate where district court finds the appeal to be frivolous). The Court must determine whether Pauson's appeal is frivolous or malicious, or fails to state a claim upon which relief may be granted. *See* 28 U.S.C. §1915(e)(2)(B)(i)&(ii).

1 While the Court did determine that Pauson failed to state a plausible claim, it cannot
2 certify that her appeal of that decision is taken in bad faith. The Motion to proceed *in forma*
3 *pauperis* on appeal is GRANTED.

4 IT IS SO ORDERED.

5 Dated this 12th day of October, 2016.

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8 Ronald B. Leighton
9 United States District Judge
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